THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.NO. 16705 OF 2006

DATED 09-08-2006

BETWEEN:

M.Amarnath

.. Petitioner

The Commissioner, MCH,
Hyderabad.

.. Respondent

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.NO. 16705 OF 2006

ORDER:

Heard learned counsel on record.

The writ petition is filed for a writ of mandamus declaring the high handed action of the respondent authorities herein in demolishing the shop bearing door No.3-6-434/8, Himayath Nagar, Hyderabad without issuing any notice to that effect is arbitrary and illegal and pass such other suitable orders.

It is stated that the petitioner is the tenant of shop bearing door No.3-6-434/8, Himayath Nagar, Hyderabad. It is also stated that in the above said shop, the petitioner is running a Xerox shop for the last 20 years. It is also stated that he is earning out of the above business as only the source of income. The respondent authorities came to the shop premises on 07.08.2006 and 08.08.2006 and orally informed the petitioner that they would demolish the same on 09.08.2006 without issuing any notice. In such circumstances, the petitioner approached this Court.

The writ petition is disposed of with the following direction:

The respondent not to resort any demolition activity relating to the subject matter of the writ petition i.e. shop bearing door No.3-6-434/8, Himayathnagar, Hyderabad unless and until the respondent follows the due procedure of law. No costs.

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09-08-2006

kvrm